

**NITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

**DRELIJAH J. MUHAMMAD-ALI,
a.k.a. MARCUS O. TAITE,**

Petitioner,

v.

KAY IVEY, et al.,

Respondents.

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Case No. 7:19-cv-01908-RDP-SGC

MEMORANDUM OPINION

The magistrate judge entered a report on January 27, 2021, recommending the court dismiss without prejudice as successive this petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 and deny the petitioner’s pending motions. (Doc. 22). The magistrate judge further recommended a certificate of appealability be denied. (*Id.*). The petitioner filed objections. (Doc. 23).¹


Petitioner erroneously argues the magistrate judge called him “a largely unintelligible black negro” and the report “made him a slave without just cause.” (*Id.* at 5, 11). However, the magistrate judge made no reference to Petitioner’s race in the report (doc. 22); rather, she simply and correctly reported that the *petition* is “largely unintelligible.” (*Id.* at 1 (citing Doc. 1)). Petitioner also repeatedly declares his sovereign citizenship entitles him to relief (doc. 23 at 6-11, 13-15), but federal courts have routinely rejected legal theories propounded “by so-called ‘sovereign citizens’” as frivolous. *See United States v. Sterling*, 738 F.3d 228, 233, n.1 (11th Cir. 2013).

¹ Petitioner signed an “Amended Objection” on February 24, 2021. (Doc. 24). Because the magistrate judge instructed Petitioner that his objections must be filed within fourteen (14) days of the entry date of the January 27, 2021 report and recommendation (Doc. 22 at 5-6), the untimely “Amended Objection” will not be considered.

After careful consideration of the record in this case, including the magistrate judge's report and Petitioner's objections, the court **OVERRULES** the objections, **ADOPTS** the report of the magistrate judge, and **ACCEPTS** her recommendation. In accordance with the recommendation, the court finds the petition (Doc. 1) is due to be **DISMISSED WITHOUT PREJUDICE** as successive and the pending motions (Docs. 9, 10, 12, 13, 19) are due to be **DENIED**. The court further finds a certificate of appealability is due to be **DENIED**.

A separate order will be entered.

DONE and **ORDERED** this March 1, 2021.



R. DAVID PROCTOR
UNITED STATES DISTRICT JUDGE